

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS-----X  
Chad Jack

:

Index Number:

Date Purchased:

:

Date Filed:

Plaintiff

:

SUMMONS

-against-

:

City of New York, New York City Police Department and :  
New York City Police Officer Nicholas Srour, Tax Reg # :  
949690, of the 103 police precinct. :

Plaintiff's residence is:

:

109-26 153 Street

Jamaica, NY 11433

Defendants  
-----X

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to Answer the Verified Complaint in this action and serve a copy of your answer, or if the Verified Complaint is not served with this Summons to serve a notice of Appearance on the Plaintiffs attorney within twenty (20) days after the service of this Summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this Summons is not personally delivered to you within the State of New York) and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Verified Complaint.

The basis of venue designated is that the cause of action arose in Queens County.

Dated: December 15, 2013  
Bronx, NY

Yours, etc.,

LAW OFFICES OF JASON A. STEINBERGER, LLC  
Attorney for Plaintiff  
910 Grand Concourse  
Suite 1C  
Bronx, NY 10451  
(646) 256-1007

To: City of New York

New York City Police Department

New York City Police Officer Nicolas Srour, Tax Reg #949690, of the 103 police precinct

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
Chad Jack :

Plaintiff :  
-against- :

VERIFIED COMPLAINT

City of New York, New York City Police Department and :  
New York City Police Officer Nicholas Srou, Tax Reg # :  
949690, of the 103 police precinct. :

Defendants.

-----X  
Plaintiff, by and through his attorney, JASON A. STEINBERGER, Esq, for his complaint,  
alleges upon information and belief as follows:

**STATEMENT OF FACTS**

1. That at all times hereinafter mentioned, Plaintiff Chad Jack, (hereinafter referred to a “JACK”) is resident of Queens County, State of New York.
2. That at all times hereinafter mentioned, Police Officer Nicholas Srou, (hereinafter referred to as “SROUR”) was employed by the New York City Police Department.
3. That at all times hereinafter mentioned, the other police officers involved in the JACK’s arrest, (hereinafter referred to as “POLICE OFFICERS”) were employed by the New York City Police Department.
4. That at all times hereinafter mentioned, Defendant City of New York, is a municipal corporation organized and existing under the laws of the State of New York, with a principal place of business located at 1 Centre Street, County of New York State of New York.

5. That at all times hereinafter mentioned, Defendant New York City Police Department, is an agency created and maintained by the above municipal government.

6. On or about January 8, 2013 notice required by Municipal Law 50-E was given to City of New York, by personal service. Said notice set forth the facts underlying Plaintiff's claim against the City of New York, and its agents and employees. To date, no answer has been received by Plaintiff and no compensation has been offered by the City of New York.

7. On or about February 20, 2013 a hearing required by Municipal Law 50-H was conducted. At said hearing, Plaintiff testified and set forth the facts underlying Plaintiff's claim against the City of New York and its agents and employees. To date, no answer has been received by Plaintiff and no compensation has been offered by the City of New York in response to this claim, and more than thirty (30) days have elapsed.

8. That on or about October 15, 2013, at approximately 3:00 PM in the vicinity 109-26 153 Street, Queens, NY POLICE OFFICERS were looking for Nyer Noble, Plaintiff's nephew, pursuant to a police investigation.

9. That pursuant to that same investigation, POLICE OFFICERS set up police tape outside of the perimeter of the house and demanded that everyone who lived in the house stay behind said police tape.

10. That Plaintiff complied with the requests of POLICE OFFICERS, but that he inquired as to why they were looking for Nyer Noble.

11. That Plaintiff requested information from SROUS and POLICE OFFICERS several times and was never given any information.

12. That despite never having engaged in in an illegal activity or behavior, SROUR handcuffed and arrested Plaintiff.

13. That Plaintiff was then transported to the 103 police precinct where he placed in a cell with other males for several hours.
14. That after being held in a cell inside of the 103 police precinct, Plaintiff was removed to Central Booking, Queens County Criminal Court, located at 125-01 Queens Boulevard, Queens, NY.
15. That while inside of Central Booking Plaintiff was forced to remain inside of a holding cell with numerous other men.
16. That while inside of Central Booking Plaintiff was forced to remain inside of a holding cell that did not have a working bathroom.
17. That while inside of Central Booking Plaintiff was subjected to harassment from the other men inside of the cells.
18. That on October 16, 2012, Plaintiff was arraigned in Queens County Criminal Court under docket 2012QN055431 and charged with Obstructing Governmental Administration in the Second Degree and Disorderly Conduct.
19. That on April 15, 2013, the case against Plaintiff was dismissed by the Court.

**AS AND FOR A FIRST CAUSE OF ACTION AGAINST CITY OF NEW YORK AND  
NEW YORK CITY POLICE DEPARTMENT**

20. That Defendants and POLICE OFFICERS acted with actual malice toward Plaintiff and with willful and wanton indifference to and deliberate disregard for the statutory and constitutional rights of the Plaintiff.
21. That the actions of the Defendants and POLICE OFFICERS constituted unreasonable deprivation of liberty without due process of law.

22. That as a result of the actions by Defendants and POLICE OFFICERS, Plaintiff was traumatized and fears for his physical safety when he sees and encounter members of the New York City Police Department from the day of his arrest and onward.

23. That as a result of the Defendants and POLICE OFFICERS's actions, Plaintiff has been unable to sleep.

24. That as a result of Defendants and POLICE OFFICERS's actions, Plaintiff missed several days of work.

25. That as a result of the Defendants and POLICE OFFICERS's actions Plaintiff sustained damage to his person in the sum within the jurisdiction of the Supreme Court and in excess of all inferior courts.

**AS AND FOR A SECOND CAUSE OF ACTION AGAINST CITY OF NEW YORK AND  
NEW YORK CITY POLICE DEPARTMENT**

26. Plaintiff repeats, reiterates and realleges the allegations contained in paragraphs 1 through 25, as if more fully stated herein at length.

27. The intentional verbal abuse, false arrest and false imprisonment by Defendants and POLICE OFFICERS violated the rights of the Plaintiff as guaranteed by the Fourth, Fifth and Eighth Amendments to the Unites States Constitution, as well as the corresponding sections of the New York State Constitution, for which Defendants are individually liable.

28. Defendants having no lawful authority to arrest Plaintiff, did, nevertheless, unlawfully arrest Plaintiff with actual malice toward her and with willful and wanton indifference to and deliberate disregard for his constitutional rights. Thus Plaintiff is entitled to both compensatory and exemplary damages.

**AS AND FOR A THIRD CAUSE OF ACTION AS AGAINST THE CITY OF NEW  
YORK AND NEW YORK CITY POLICE DEPARTMENT**

29. Plaintiff repeats, reiterates and realleges the allegations contained in paragraphs 1 through 28, as if more fully stated herein at length.

30. Defendants conspired to violate Plaintiff's statutory civil rights in violation of 42 U.S.C. sec.1983, et al as well as the corresponding sections of the New York State Constitution, for which Defendants are individually liable. Thus Plaintiff is entitled to both compensatory and exemplary damages, as well as attorney's fees.

**AS AND FOR A FOURTH CAUSE OF ACTION AS AGAINST CITY OF NEW YORK  
AND NEW YORK CITY POLICE DEPARTMENT**

31. Plaintiff repeats, reiterates and realleges the allegations contained in paragraphs 1 through 30, as if more fully stated herein at length.

32. Plaintiff was verbally abused, falsely arrested and falsely imprisoned by Defendants in a manner that was extreme, outrageous and unjustified and caused Plaintiff to suffer physical and severe emotional distress for which the Defendants and MOLONEY are individually liable. The verbal abuse, false arrest and false imprisonment on and of Plaintiff by Defendants were unjustified and done with actual malice and wanton indifference to and deliberate disregard for human life and the rights of Plaintiff. Plaintiff is thus entitled to compensatory and exemplary damages.

**AS AND FOR A FIFTH CAUSE OF ACTION AS AGAINST CITY OF NEW YORK AND  
NEW YORK CITY POLICE DEPARTMENT**

33. Plaintiff repeats, reiterates and realleges the allegations contained in paragraphs 1 through 32, as if more fully stated herein at length.

34. At all times pertinent hereto, POLICE OFFICERS and SROUR were acting within the scope of their employment as officers of the New York City Police Department and City of New York.

35. The City of New York and New York City Police Department are each liable for compensatory damages under the doctrine of respondeat superior for the intentional torts that POLICE OFFICERS and SROUR committed within the scope of their employment.

**AS AND FOR A SIXTH CAUSE OF ACTION AS AGAINST CITY OF NEW YORK AND  
NEW YORK CITY POLICE DEPARTMENT**

36. Plaintiff repeats, reiterates and realleges the allegations contained in paragraphs 1 through 35, as if more fully stated herein at length.

37. The City of New York and New York City Police Department's failure to provide adequate training and supervision to its POLICE OFFICERS and SROUR constitutes a willful and wanton indifference and deliberate disregard for human life and the rights of private citizens, including Plaintiff. Plaintiff is thus entitled to compensatory exemplary damages.

**AS AND FOR A SEVENTH CAUSE OF ACTION AS AGAINST CITY OF NEW YORK  
AND NEW YORK CITY POLICE DEPARTMENT**

38. Plaintiff repeats, reiterates and realleges the allegations contained in paragraphs 1 through 37, as if more fully stated herein at length.



39. Upon information and belief, the City of New York and New York City Police Department maintained a system of review of police conduct which was so untimely and cursory that it was ineffective and permitted and tolerated the unreasonable detention of Plaintiff.

40. Upon information and belief, the City of New York and New York City Police Department maintained a system of review of police conduct which was so untimely and cursory that it was ineffective and permitted the wanton indifference to and deliberate disregard for the statutory and constitutional rights of Plaintiff.

WHEREFORE, Plaintiffs each demand judgment against the Defendants as follows:

**On the first cause of action**, a sum within the jurisdiction of this Court and in excess of all inferior courts;

**On the second cause of action**, a sum within the jurisdiction of the of this Court and in excess of all inferior courts, together with the additional exemplary sum within the jurisdiction of this court and in excess of all inferior courts owing to the willful and wanton nature of Defendants actions.

**On the third cause of action**, a sum within the jurisdiction of the of this Court and in excess of all inferior courts together with the additional exemplary sum within the jurisdiction of this court and in excess of all inferior courts owing to the willful and wanton nature of Defendants actions.

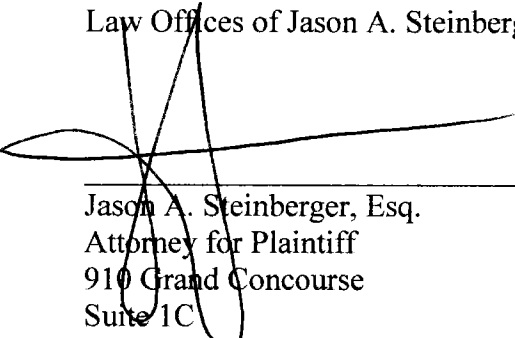
**On the fourth cause of action**, a sum within the jurisdiction of the of this Court and in excess of all inferior courts together with the additional exemplary sum within the jurisdiction of this court and in excess of all inferior courts owing to the wanton and willful nature of the Defendants actions;

**On the fifth cause of action,** a sum within the jurisdiction of the of this Court and in excess of all inferior courts

**On the sixth cause of action,** a sum within the jurisdiction of the of this Court and in excess of all inferior courts together with the additional exemplary sum within the jurisdiction of this court and in excess of all inferior courts.

**On the seventh cause of action,** a sum within the jurisdiction of this Court and in excess of all inferior courts.

Law Offices of Jason A. Steinberger, LLC



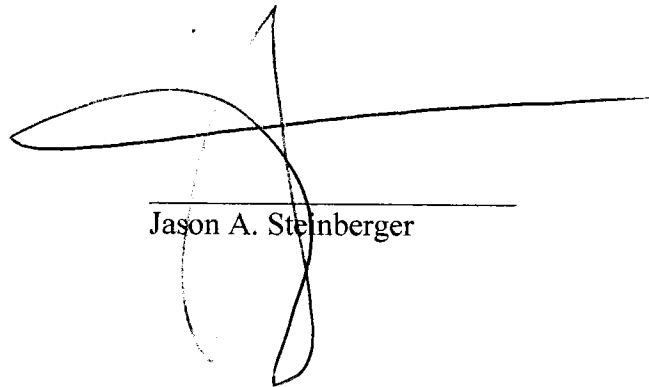
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Jason A. Steinberger, Esq.  
Attorney for Plaintiff  
910 Grand Concourse  
Suite 1C  
Bronx, NY 10451  
(646) 256-1007

STATE OF NEW YORK: COUNTY OF BRONX

The undersigned, an attorney admitted to practice in the State of New York, under penalties of perjury, affirms the following to be true: Affirmant has read the foregoing Complaint and the contents thereof ; the same is true to affirmant's own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters affirmant believes it to be true; and the reason this verification is made by affirmant and not by the plaintiff is because the plaintiff is not within the county in which your affirmant maintains his principal office. The grounds of affirmant's belief as to all matters not stated upon affirmant's knowledge are communications with the plaintiff, review of records and documents within affirmant's possession.

Affirmed: December 15, 2013



Jason A. Steinberger

Index Number:  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

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**CHAD JACK**

Plaintiff

-against-

**CITY OF NEW YORK, NEW YORK CITY POLICE DEPARTMENT POLICE AND  
NEW YORK CITY POLICE OFFICER NICHOLAS SROUR, TAX REG# 949690, OF  
THE 103 POLICE PRECICNT.**

**Defendant.**

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**SUMMONS and COMPLAINT**

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**LAW OFFICES OF JASON A. STEINBERGER, LLC**  
910 GRAND CONCOURSE  
SUITE 1C  
BRONX, NY 10451

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To:  
Attorney (s) for Defendant(s)

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Service of a copy of the within

is hereby admitted.

Dated:

\_\_\_\_\_  
Attorney(s) for

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**PLEASE TAKE NOTICE**

- ☐ that the within is a (certified) true copy of  
☐ entered in the office of the clerk of the within named Court on

**NOTICE  
OF ENTRY**

- ☐ that an Order of which the within is a true copy will be presented for settlement to the Hon.  
**NOTICE OF SETTLEMENT** at \_\_\_\_\_ once of the Judges of the within named Court,  
on \_\_\_\_\_ 200 , at \_\_\_\_\_ m.

Dated:

**JASON A. STEINBERGER, ESQ.**  
910 Grand Concourse, Suite 1C  
Bronx, NY 10451

To:  
Attorney(s) for